

## §911.234

## 7 CFR Ch. IX (1-1-00 Edition)

(d) The public member and alternate member shall be nominated by the Florida Lime Administrative Committee, and shall serve a one-year term which coincides with the term of the producer and handler members of the committee.

[44 FR 9370, Feb. 13, 1979]

EDITORIAL NOTE: After January 1, 1979, "Budget of Expenses and Rate of Assessment" regulations (e.g., sections .200 through .299) and "Handling" regulations (e.g., sections .345 through .399) which are in effect for a year or less, will not be carried in the Code of Federal Regulations. For FEDERAL REGISTER citations affecting these regulations, see the "List of CFR Sections Affected" in the Finding Aids section of this volume.

### Subpart—Assessment Rates

#### §911.234 Assessment rate.

On and after April 1, 1998, an assessment rate of \$0.16 per bushel container is established for Florida limes.

[63 FR 15281, Mar. 31, 1998]

### Subpart—Pack Regulation

#### §911.311 Florida lime pack and container marking regulation.

(a) No handler shall handle any limes grown in the production area, of the group known as seedless, large fruited, or Persian limes (including Tahiti, Bearss and similar varieties), in any container specified in §911.329, unless such limes meet the requirements of standard pack and each container in each lot is marked or stamped on one outside end in letters at least  $\frac{1}{4}$  inch in height to show the United States grade applicable to such lot and either the average juice content of the limes in such lot or the phrase *average juice content forty-two percent (42%) or more: Provided, That, in lieu of such marking requirement, any handler may affix to the container a label, brand, or trademark, registered with the Florida Lime Administrative Committee in accordance with the following, which appropriately identifies the grade:*

(1) Registration of each label, brand, or trademark with the Florida Lime Administrative Committee shall be on forms prescribed by it and shall be filed with such committee not less than 30

days prior to use in lieu of the foregoing marking requirement.

(2) A label, brand, or trademark registered with the committee, during a fiscal year, to identify a specific grade may not be reregistered during the same fiscal year to identify any other grade until 30 days after notice of such reregistration has been filed with the committee.

(3) Each label, brand, or trademark registered with the committee shall include the name and address of the handler and shall be sufficiently distinctive otherwise that it can be readily identified and distinguished from other registered labels, brands, or trademarks.

(4) If a label, brand, or trademark is registered by a handler to identify a specific grade, in order for a label, brand, or trademark of practically the same design and lettering with a different color, or additional terms or name, to be registered to represent a different grade, the name of the color and the additional terms or name shall appear on the label, brand, or trademark in block letters of at least one-half ( $\frac{1}{2}$ ) inch in height, of contrasting color.

(5) A label, brand, or trademark registered with the committee to identify a specific grade shall not be used on any container packed with limes of a lower grade than that for which the label, brand, or trademark is registered.

(b) No handler shall handle any limes grown in the production area in any container specified in §911.329 unless such container is marked with a Federal-State Inspection Service lot stamp number showing that the limes have been inspected in accordance with regulations issued under §911.48 of the marketing order: Provided, That when inspection occurs after palletization, only all exposed or outside containers of limes must be plainly marked with the lot stamp number corresponding to the lot inspection conducted by an authorized inspector.

(c) The provisions of paragraphs (a) and (b) of this section shall not apply to individual packages of limes not exceeding four pounds, net weight, that are within master containers, except that if such packages are individual

bags, either such bags or the master containers thereof shall be marked or labeled in accordance with the requirements of paragraph (a) of this section, and master containers shall be marked or labeled in accordance with the requirements of paragraph (b) and the requirements of § 911.329(a)(2)(v).

(d) No handler shall handle any container of seedless limes, grown in the production area, unless such container is marked once on the top or on any one side of the container, not to include the bottom, with letters at least one inch in height with one of the size designations shown in column 1 of the following table: *Provided*, That the number of seedless limes in a ten pound sample of a particular size designation, representative of the limes in the container, corresponds to the permissible size range in column 2 of such table for such size designation: *Provided further*, That not more than 10 percent of the containers in any lot may fail to meet these requirements.

TABLE 1

Column 1 size designations	Column 2 size range
72 .....	68 to 76
63 .....	59 to 67
54 .....	51 to 58
48 .....	45 to 51
42 .....	39 to 44
36 .....	33 to 38
28 .....	25 to 32
Jumbo .....	24 and larger

(e) Terms used in this section shall mean the same as in the marketing order, and terms relating to grade and standard pack shall mean the same as in the U.S. Standards for Grades of Persian (Tahiti) Limes (7 CFR 51.1000 through 51.1016).

[29 FR 8461, July 7, 1964, as amended at 43 FR 39321, Sept. 5, 1978; 45 FR 76429, Nov. 19, 1980; 45 FR 80270, Dec. 4, 1980; 50 FR 15097, Apr. 17, 1985; 50 FR 20889, May 21, 1985; 52 FR 4598, Feb. 13, 1987; 53 FR 403, Jan. 7, 1988; 53 FR 11832, Apr. 11, 1988; 53 FR 22126, June 14, 1988; 56 FR 66778, Dec. 26, 1991; 61 FR 31005, June 19, 1996; 63 FR 37479, July 13, 1998]

### Subpart—Container Regulation

#### § 911.329 Florida lime container regulation.

(a)(1) No handler shall handle between the production area and any

point outside thereof any variety of limes, grown in the production area, in individual bags having a capacity of more than four pounds net weight of limes.

(2) No handler shall handle between the production area and any point outside thereof any variety of limes, grown in the production area, in containers having a capacity of more than 4 pounds of limes unless such limes are handled in containers meeting the following specifications and conform to all other applicable requirements of this section:

(i) All limes shall be packed in containers of 5.5, 8, 10, 20, and 38 pounds designated net weights. The net weight of the contents shall not be less than the designated net weight. The net weight of limes shall not exceed the designated net weight by more than two pounds for 10 and 20 pound containers, and shall not exceed the designated net weight by more than four pounds for 38 pound containers. Further, the net weight shall not exceed the designated net weight by more than one pound for 8 pound containers, and this container shall be for export shipments only.

(ii) When a container of 38 pounds designated net weight is used as a master container for bagged limes, the minimum net weight of limes shall be 35 pounds, provided the container is marked "Master Container."

(iii) Such other types and sizes of containers as may be approved by the Florida Lime Administrative Committee, with the approval of the Secretary, for testing in connection with a research project conducted by or in cooperation with said committee: *Provided*, That the handling of each lot of limes in such test containers shall be subject to the prior approval, and under the supervision of, the Florida Lime Administrative Committee.

(3) The limitations set forth in paragraph (a)(2) of this section shall not apply to master containers of individual packages, including individual bags of limes: *Provided*, That the markings or labels, if any, on such packages do not conflict with the markings or labels on the master container.